

NB: This article was written for an edited volume on contemporary terrorism, more specifically, terror in the name of Hindutva. I disagree with the habit of approaching terrorism with a prefix, but nevertheless wrote it, in order precisely to make my point more explicitly. It was completed more than a year ago and the book (to which it was a contribution) is more than overdue. I understand that the current political atmosphere has motivated the publishers to re-think the project, and have no idea if they will ever publish it. After consulting with the editor of the proposed volume, therefore, I have decided to post it on SACW and my blog. It is posted here in commemoration of Hiroshima Day, 2014: Dilip

A matter of time ¹

The state of war suspends morality; it divests the eternal institutions and obligations of their eternity and rescinds ad interim the unconditional imperatives. In advance its shadow falls over the actions of men. War is not only one of the ordeals – the greatest – of which morality lives; it renders morality derisory. The art of foreseeing war and of winning it by every means – politics – is henceforth enjoined as the very exercise of reason -
Emmanuel Levinas

Once crime was solitary as a cry of protest; now it is as universal as science. Yesterday it was put on trial; today it determines the law - Albert Camus

Introduction

This essay derives its inspiration from the need to engage with and understand the phenomenon of totalitarianism, which appears to me to be a central feature

¹ This essay owes an intellectual debt to Hannah Arendt's theory of totalitarianism. See her book, *The Origins of Totalitarianism*, (1948) 2004, New York; esp., Part 3, sections 3 and 4; 'Totalitarianism in Power'; and 'Ideology and Terror'. The master quotes are from Emmanuel Levinas. *Totality and Infinity: An Essay on Exteriority*; Pittsburgh, (1969); 2008. p 21; and Albert Camus, *The Rebel: An Essay on Man in Revolt*; (1956), New York, 1991, p. 3

of terror and terrorism. My argument is not restricted to India, nor to a specific religious provenance of Indian communal politics. (*Communalism* refers to the assumption that shared membership of a community automatically results in a shared political interest). Rather, the relevance of totalitarianism is itself evidence of India's assimilation into a globalised reality. The sub-division of communally inspired violence along denominational categories is self-defeating, for it follows the habitual practice of analyzing communal phenomena through a communal lens – in other words, taking as given precisely those terms and usages that require analysis.

In a recent article, the Pakistani physicist Pervez Hoodbhoy describes his conversations with Indian and Pakistani generals on nuclear matters. Senior officers on both sides evinced delight and enthusiasm at acquiring weapons of mass destruction. The place these weapons held in their mental universe was inhabited by passions of honour and glory – values that Hoodbhoy rightly describes as Neolithic.² When the Pokharan tests took place, India's Home Minister L.K. Advani advised Pakistan to give up its claim on Kashmir because the 'geo-strategic' context had decisively changed in India's favour. He too was delighted, as if an atavistic yearning had been consummated. Maybe it had to do with myths about virility. Hoodbhoy recounts such appreciative comments emanating from various senior and respected analysts. I remember the leader M.L. Khurana, Union Minister in the third Vajpayee government, saying that if Pakistan wanted a fight it could "name the time and place" – comments more suitably emanating from the precincts of a wrestler's gymnasium than the mouth of a cabinet minister. Some years prior to that, an Indian defence minister (M.S. Yadav) declared that nuclear war would only affect the cities – presumably this was meant to allay our fears. What could be more terrifying than the prospect of mass nuclear death? Yet that is what the leaders of the

² Pervez Hoodbhoy, 'Scientists and an atomic subcontinent'; February 2013, in the Bulletin of Atomic Scientists: <<http://www.thebulletin.org/web-edition/op-eds/scientists-and-atomic-subcontinent>

world's largest democracy seem to contemplate with equanimity. When we speak of terror and terrorism therefore, it is wise to begin with the terrorism not of so-called radicals, but of the so-called mainstream.

The words 'terror' (meaning intense fear and dread), and 'terrorism' (the systematic employment of violence and intimidation to coerce a government or community into acceding to specific political demands) are steeped in controversy and admit of multiple usages. From the time of the French Revolution, 'terrorism' has been used to describe various types of violent political activism, including Russian populism; Italian, Serbian and Irish nationalism, and anarchism. After the attacks on the World Trade Center in 2001, a 'war on terror' was launched by the United States. It has tended to be identified with Islamist fundamentalism, the Taliban, the Tamil Tigers, Palestinian militants and Maoist revolutionaries. Although terrorism is clearly a form of political violence, mainstream commentary does not associate it with state supported actions. Armed actions by American and Israeli special forces against real or perceived enemies, kidnapping, collective punishments and encounter killings by the apparatus of various South Asian states, are not seen as terrorist practices. Even the recent documented genocidal actions by the Sri Lankan government (for example) do not merit more than mild reprimand by the international community of states. In India 'terrorism' is not the word we use to describe the activities of the Bajrang Dal, VHP, RSS, the Ranvir Sena or the Shiv Sena, even though some of their activities would qualify them as terrorists within the dictionary meaning of the word. Today, the United Nations has no agreed definition of terrorism, even though there are twelve ratified conventions relating to different aspects of terrorism that have been signed and ratified by UN members.

The characteristic feature of modern political reality is the predominance of extremism –paradoxically not at the extremes, but in the very heart of the established order. Across the partisan spectrum, we can observe the contempt for human life, sociopathic behaviour, disdain for the letter and spirit of foundational statutes, and disregard for limits in speech and action. Persons

entrusted with high executive authority think nothing of abusing the public trust for accumulating power and wealth. Political utterances by high-ranking personages bespeak contempt for law, for women, for restraint in public life. Sentiment is invoked constantly to intimidate government and to justify hooliganism. Controlled mobs are kept in waiting, to be unleashed at the appropriate moment to build and consolidate constituencies of sentiment. Private armies and militia are a commonplace, and remain active despite adverse Supreme Court judgments.³ Judges on occasion have even resorted to arguments suggesting that communally-inspired murder is less culpable than some other variety.⁴ The very distinction between lawful conduct and legitimate practices on the one hand, and unlawful conduct and illegitimate practices on the other, seems to have become pointless. It is precisely under the mantle of legitimacy and lawfulness that criminality is flourishing. In a word, the constitution, the foundational statute of the Indian polity, is under attack from all sides, left, right and centre. Leading the charge is the ruling elite, comprising powerful corporate executives, high-level elected officials and civil service officials – of whom the latter two categories are sworn to uphold the law. The established order is extremist and terrorism is its excrescence.

Ideology as a law of motion

Ideology means the logic of an idea. The dictionary defines it as a system of ideas pertaining especially to political or economic systems, and lays stress on the tendency of ideologies ‘to justify actions and be maintained irrespective of events.’ Ideologies also tend to carry an attachment to absolute truth, for which another term could be *certainty*. The Marxist use of the term associates it with ‘false consciousness’ - which raises the question of how we may distinguish false from true consciousness. The term *ideology* itself dates from the time of the

³ See Chief Justice Balakrishnan’s remarks on Salwa Judum dtd March 31, 2008: ‘How can the State give arms to some persons? The State will be abetting in a crime if these private persons kill others.’

⁴ See my article on the Staines judgement, ‘What about the murdered kids?’, published in Mail Today, February 4, 2011; at <http://indiatoday.intoday.in/story/what-about-the-murderedkids/1/128636.html>

French revolution, which is also approximately the time that marks the advent of modern partisan politics. Ideologies must not be conflated with theories – which are contemplations of reality. An ideology may stand by this or that theory, but will always contain an element of faith as well. Ideologies tend to use a single concept or set of ideas to explain the past in its entirety, and lay down a blueprint for the future, along with instructions on how to get there. They are futuristically oriented, but with a strong component of belief. Insofar as an ideology tends to negate the present, it acquires a nihilist colour. *Nihilism* has been summed up by one philosopher as ‘an attempt to overcome or to repudiate the past on behalf of an unknown and unknowable yet hoped-for future.’⁵ Nihilist attitudes and ideas demolish the ethical fabric of the present and enable its practitioners to suspend ordinary morality for the sake of a foretold bright new dawn that never arrives.⁶

The most powerful ideological currents in modern times have been associated with nations, empires, class and mass movements. It is important to remember that ideologies do not by themselves ‘cause’ totalitarian movements, rather, it is only when certain social and political conflicts dominate the historical stage, that ideologies acquire the potential of being absorbed by the people active in those conflicts, and take on a life of their own. Thus, to postulate a historical doctrine which speaks of dying classes, inferior races or inimical religions is quite a separate matter from actually taking upon oneself the task of killing members of the so-called enemy class, race or religion.

Ideas circulate and affect and alter each other, and because humans are complex emotional beings, they remain susceptible of influence by differing sets of beliefs at the same time. Thus in an age of violent conflict and warfare, it is understandable that the operative ideologies are precisely the ones justifying, or engaging with the ongoing violence. There are indeed pacifist ideologies, but the

⁵ Stanley Rosen, *Nihilism: A Philosophical Essay*; 1969, p. 140

⁶ For a discussion of nihilism and violence, see Dilip Simeon: ‘The abyss of modernity: questioning political violence’; Nehru Memorial Museum and Library, Occasional Paper # 8, New Delhi, 2013

most prominent ideological systems are associated with the major conflicts of our times. Nationalism, socialism, fascism, racism and militarism come most readily to mind. It is a significant example of the osmosis of ideas that the European socialist movement, known for its pacifism, became virulently nationalist with the advent of the First World War. Often enough these *isms* are also the names of actually existing systems and institutions. It is a fluid situation – capitalism refers to a real system, although there is a capitalist ideology as well (we could call it market utopia), and socialism refers more (especially since the collapse of the USSR) to a set of doctrines than to an existent system.

Arendt suggests three elemental features in all ideological thinking; the element of motion, of emancipation from reality, and of logical consistency deriving from an assumed first premise.⁷ The first develops as a concern with history and generally comes with a claim to understand the past and calculate the future. The present is seen as fleeting and unstable. All ideologically driven action is calculated in order to ‘construct’ the future. The calculation could be in the name of or for the sake of the Class, the Nation or the People, but in each case, the entity deemed to be the Subject of History is in perpetual motion, developing by some inbuilt law (known to the wise leaders) towards a glorious future. The second element (emancipation from reality) implies the training of followers in the habit of dismissing, ignoring or explaining away all aspects of experience that disturb the ideological world-view. For example, if X act of terror is damaging to the ‘image’ of this or that vigilante group, the truth about event X will not be addressed. Rather, it will be re-cast as an enemy plot; and if a massacre of innocents has taken place, the blame for it will be shown to rest with the innocents themselves, or their ‘community’. In one blow, the consistency of the world-view will be upheld and the purity of the radical ‘movement’ maintained. This relates to the third element - of consistency, or working with inexorable logic from a first premise. This could be a sweeping statement about the inevitable victory of the preferred Subject (class, nation, religious community). Once established, everything that happens serves merely to confirm the premise – if

⁷ Arendt, op.cit., *Origins*.. pp. 606-607

there are no pink elephants to be seen, it is because we are snapping our fingers to keep them away.. and so forth.⁸ To these three elements, I would add a fourth, the central place of calculated violence (what Albert Camus called *crimes of logic*, or *historical murder*), without which the ideological cause in question cannot be advanced.⁹

Totalitarianism and relativism mirror each other – they both lead to the abolition of objectivity and the legislation of belief. The first treats truth as a fixed substance accessible only to a great sage or commander; the second treats it as a mere ‘viewpoint’ that varies as per the point of observation. Both approaches imply the dissolution of object into subject. Since there are an infinite number of subjects, there is an infinity of truths, and we may take our pick. This leads to the idea that ‘real’ truth can only be produced by mathematical sciences, and ethical questions may be banished to the realm of speculation. One ethical standard is as good as another, or one form of totalitarian force contests another. This is the starting line for the transformation of truth into propaganda. And in an atmosphere where propaganda reigns, speech is reduced to a form of silence, because even when we listen, we do not hear. We are too busy annihilating class enemies, or enemies of the nation, of our religion etc.

What is common to all this is the reduction of humans to the status of biomass, a substance or resource through and upon which the Law is implemented. Unclean or undesirable elements in this biomass are removed by the process itself. As in all laws of Progress, it remains unclear as to whether the Law is ‘naturally’ self-activating or requires the sustained rhetoric and action of committed cadre to attain realization. At any rate, it installs a pre-ordained process of ceaseless struggle in place of and on top of ordinary life, a process whose perpetual dynamism whips the masses into the shape required by History. The democratic

⁸ ‘For him, everything proves everything else. The lunatic is all *idée fixe*, and whatever he comes across, confirms his lunacy’. Greil Marcus; in *The dustbin of history*; Picador, London, 1997; p 156

⁹ See my article *Permanent Spring*, in Seminar # 607, (2010); which may be read at: <http://dilipsimeon.blogspot.in/2011/10/maoism-and-philosophy-of-insurrection.html>

legitimacy of the state is ideologically shifted – it now derives not from the *demos* or people, who remain the titular sovereign of the polity, but from a supernatural principle known only to the masters of superior knowledge.

In a fundamental sense, ideologues are in a perpetual state of war. The transformation of civil society itself into a war-zone is at the heart of their endeavours. Wars, as Orwell observed, are no longer meant to be won, they are meant to be permanent. In 1984, his classic depiction of modern dystopia, he placed a book within a book, purporting to be a text for political indoctrination. It was named *The Theory and Practice of Oligarchical Collectivism*. Some extracts from it are worth reading for insights into a phenomenon that defies easy categorization into left and right ¹⁰:

War, however, is no longer the desperate, annihilating struggle that it was in the early decades of the twentieth century. It is a warfare of limited aims between combatants who are unable to destroy one another, have no material cause for fighting and are not divided by any genuine ideological difference. This is not to say that either the conduct of war, or the prevailing attitude towards it, has become less bloodthirsty or more chivalrous. On the contrary, war hysteria is continuous and universal in all countries, and such acts as raping, looting, the slaughter of children, the reduction of whole populations to slavery, and reprisals against prisoners which extend even to boiling and burying alive, are looked upon as normal, and, when they are committed by one's own side and not by the enemy, meritorious. (186)

War, it will be seen, accomplishes the necessary destruction, but accomplishes it in a psychologically acceptable way. In principle it would be quite simple to waste the surplus labour of the world by building temples and pyramids, by digging holes and filling them up again, or even

¹⁰ George Orwell, 1984; (1950), New York, 1977; pp 186, 192, 198, 199

by producing vast quantities of goods and then setting fire to them. But this would provide only the economic and not the emotional basis for a hierarchical society. What is concerned here is not the morale of masses, whose attitude is unimportant so long as they are kept steadily at work, but the morale of the Party itself. Even the humblest Party member is expected to be competent, industrious, and even intelligent within narrow limits, but it is also necessary that he should be a credulous and ignorant fanatic whose prevailing moods are fear, hatred, adulation, and orgiastic triumph. In other words, it is necessary that he should have the mentality appropriate to a state of war. It does not matter whether the war is actually happening, and, since no decisive victory is possible, it does not matter whether the war is going well or badly. All that is needed is that a state of war should exist...The splitting of the intelligence which the Party requires of its members, and which is more easily achieved in an atmosphere of war, is now almost universal, but the higher up the ranks one goes, the more marked it becomes. It is precisely in the Inner Party that war hysteria and hatred of the enemy are strongest...(192). When war is continuous there is no such thing as military necessity. Technical progress can cease and the most palpable facts can be denied or disregarded...researches that could be called scientific are still carried out for the purposes of war, but they are essentially a kind of daydreaming, and their failure to show results is not important... efficiency, even military efficiency, is no longer needed. Nothing is efficient in Oceania except the Thought Police... (198)

War, it will now be seen, is a purely internal affair. In the past, the ruling groups of all countries, although they might recognise their common interest and therefore limit the destructiveness of war, did fight against one another, and the victor always plundered the vanquished. In our own day they are not fighting against one another at all. The war is waged by each ruling group against its own subjects, and the object of the war is not to make or prevent conquests of territory, but to keep the structure of

society intact. The very word “war,” therefore, has become misleading. It would probably be accurate to say that by becoming continuous war has ceased to exist (199)

Six and a half decades after the publication of 1984, it would seem that planetary society is truly caught up in eternal war, and that totalitarian practices are increasingly favoured by a great number of states in the international order. It is against this background that the question of terror and terrorism ought to be considered.

Global nationalism as an enemy system

In an article entitled *The Enemy System*, published in 1988, the late psychiatry professor John Mack quotes a Vietnam veteran: “War begins in the mind, with the idea of the enemy.” He continues:

Freud, in his examination of mass psychology identified the proclivity of individuals to surrender personal responsibility to the leaders of large groups. This surrender takes place in both totalitarian and democratic societies, and without coercion. Leaders can therefore designate outside enemies and take actions against them with little opposition. Much further research is needed to understand the psychological mechanisms that impel individuals to kill or allow killing in their name.¹¹

The psychodynamics of war and terror is complicated. A cursory glance however, is sufficient to make out that the twentieth century saw the emergence of regimes that became veritable embodiments of terror, regimes that sought to destroy the basic human capacity of thoughtfulness and moral discrimination. The criminality at the core of these regimes was manifest in the untrammelled power over life and death exercised by its secret police. If there was one modality that

¹¹ See John Mack, ‘The Enemy System’, in Volkan, Julius & Montville, *The Psychodynamics of International Relationships, vol 1, Concepts and theories*; Toronto, 1990. See <http://johnemackinstitute.org/1988/08/the-enemy-system-short-version/>

was central to their functioning it was the drive towards rendering human beings superfluous, including its own personnel. The web of interconnections between the state, social relations and individual minds was sought to be moulded into a gigantic machine – much as Orwell described it.¹² The sovereignty enjoyed by criminality is what Camus was referring to in the citation at the beginning of this essay; and it is a clue to the nihilist mentality that drives contemporary terrorism – whether from within or outside the formal structures of the state.

Totalitarianism is a contested term, yet it refers to very real and disturbing events that took place in the first half of the past century. They also cast a long shadow upon the world in the decades since then. Although such phenomena as genocide, massacres by victors in a war, concentration camps, forced labour and slavery have been a part of human history long before the emergence of totalitarian states, these were still located within some goal-oriented political design, they formed part of a utilitarian purpose, howsoever obnoxious. But the seizures of power by ideologies of total control are peculiar to the twentieth century, and their specific feature is the casting away of utility as a driving principle of policy. The gigantic structure of forced labour-camps under Stalin and Hitler's death factories are not explicable in terms of utility, but rather point towards nihilist drives toward total domination and/or annihilation. Totalitarianism expresses the idea of total domination, the abolition of the person. Terror, by the state or movements aspiring to statehood, is an expression of the totalitarian tendencies of modern ideologies.

12 For further reading, see Theodor Adorno, 'Freudian theory and the pattern of fascist propaganda'; in, Theodor Adorno, *The Culture Industry: selected essays on mass culture*; Chennai 2007 (Indian edition); Saladdin Said Ahmed; 'Mass Mentality, Culture Industry, Fascism'; *Kritike* Vol 2 # 1 (June 2008) 79-94, available at <http://www.kritike.org/journal/issue_3/ahmed_june2008.pdf>; and Hans Magnus Enzensberger, 'The Industrialization of the Mind', *Critical Essays*. New York: Continuum, 1982; pp 3-14; available at: <http://faculty.washington.edu/cbebler/teaching/coursenotes/Texts/enzensbergindust.html>

The question as to whether terrorist regimes of the Stalinist or Nazi variety are possible or visible today is debatable. But although the regimes are dead, their spirits survive. Suffice it to say, in Arendt's words, 'totalitarian solutions may well survive the fall of totalitarian regimes in the form of strong temptations which will come up whenever it seems impossible to alleviate political, social, or economic misery in a manner worthy of man... It may even be that the true predicaments of our time will assume their authentic form – though not necessarily the cruelest – only when totalitarianism has become a thing of the past.'¹³ This prediction needs to be taken seriously. There still exist ideologies that cast entire groups of humans numbering millions into inimical roles - enemy nations, inferior races, religions and so on. This marks the resurgence of the category of collective guilt, made so infamous by the tradition of Christian anti-semitism. Guilt and innocence become meaningless in these ideologies.

Both externally in their mutual relations, and in their internal functioning, the power structures of the modern nation-state rest upon and reproduce extreme violence. Nationalism is a sacralised discourse that has replaced the divine right of kings with a new version of political prayer. Perhaps human nature is such that we prefer to commit ghastly crimes to the accompaniment of sacred incantations. One way or another, the disappearance of absolute monarchs has not meant the disappearance of absolutism or the drive towards total power. Moreover, even as the international order sustains itself as an 'enemy system', the political demography of nation-states produces another (internal) enemy system. This system is the inbuilt conflict between *majorities* and *minorities* – vacuous mathematical terms laden with ideological assumptions. They emerged in the agreements following the end of the First World War. The new state structures established by the League of Nations were fabricated out of the disintegrated territories and peoples of multi-national empires such as the Habsburg and Tsarist. The concept took root around the time of the French revolutionary wars,

¹³ Arendt, (1948) *The Origins...*, p 592-593

but it was not until 1919 that the European powers began to incorporate it into diplomatic agreements. The foremost ramification of nation-states was the institutionalization of majoritarianism - the belief that a nation was by definition homogeneous, that it was entitled to a national home and that ethnic groups which were not part of 'the majority' were a *problem* or a *question*. The invention of 'natural' majorities paved the way for projects of purification in the name of traditions, culture, religion etc; all claiming the right to define the *nation*. Very soon, *minorities* were identified as the very embodiment of unwelcome or unhealthy heterogeneity.¹⁴

With the advent of the nation-state, the state ceased to be an instrument of law, and became instead an instrument of the Nation. This distinction is very important, because it enables us to recognize the ideological means whereby the very basis of liberal democracy, viz., the equality of all citizens before the law, regardless of differences in ethnic origin, religious belief or sex, can be eroded. The retreat of universal democratic values before a creeping national chauvinism that speaks the language of 'glory' and 'majority rule' was a feature of the growth of Nazism in the late 1920's. The distinction also provides a clue to the ease with which hooliganism in the name of 'the majority' can and does present itself as nationalism, whereas violent activities of other denominational or political groups are denounced as 'anti-national.' We need only examine the post-independence history of the nation-states in South Asia to see this logic playing itself out in repeated outbursts of communal violence, ethnic cleansing and transfers of population.

Genocide at genesis

The tenor of political discourse in India is polemical. When polemic takes over speech, meaningful communication gets replaced by the trading of accusations, doctrinal assertions and half-truths. One such half-truth is propagated by attaching prefixes to terror, so that apart from making distinctions between

¹⁴ For a detailed argument on this theme see my article 'The Law of Killing: a brief history of Indian fascism'; in Jairus Banaji, (ed), 'Fascism: Essays on Europe and India', Gurgaon, 2013

various forms of terror (which is useful) we end up making a hierarchy of it, and adopting partisan stances towards terror. In a society already divided by sharply conflicting social and economic interests and the ruthless enforcement of privilege, political speech has become deceitful. The constitution is now treated as a hurdle and barrier to growth. The interests of high finance are conflated with the interests of society as a whole and the political realm is subject to assaults by criminal elements within and outside the bureaucracy. The enormous potential that supreme executive authority presents for criminal gain has resulted in the struggle for power becoming more and more vicious. The need to dress up this debacle as something legitimate, has led to semantic vacuity and shrillness in political discourse.

As ordinary humans become mere instruments in this vast and hopeless spectacle, the violent potential of ideologies that promise a bright future but enforce a dismal present, comes to the surface. We are witness to a disintegration of the holding power of ideologies. What we see today is an increasing reliance on sentiment and passion as a pretext for violence. Orwell's insights into the impact of ideology on language and state functioning have a lot to teach us on political violence in India. They show us how war and terror are inherent in extreme ideologies of social upheaval and transformation. Translated into our immediate context, what began (in the midst of the national movement) as a contestation over who constituted the nation, grew into a battle over the foreseen balance of power between 'communities' in the future constitution. In the global context of the 1940's, this contestation was transmuted (via the Two Nation theory) into an inter-national discourse. These developments were based on an implicit acceptance of the concept of the nation-state, taken as an axiomatic reality in the language of international law. For Indians, that meant that an inchoate civil war was elevated to a geopolitical dimension. In a word, Hindu-Muslim communalism has evolved to nuclear status. This is the context of terrorism in South Asia. This is why at an over-arching level the major forms of terror are not even seen as such, because of the extent to which they have been 'normalised' and assimilated into the sacred language of nationalism.

It is against this backdrop that we must assess the phenomenon of Indian communal terrorism, whether it comes in the guise of Hindutva, Khalistanism or Islamist violence.¹⁵ It is not that the national leadership was ignorant of this. In the dawn of independence, it drew attention to the implications of the existence such entities. Thus, a resolution drawn up by the Congress in November 1947 observed:

The All India Congress Committee has noted with regret that there is a growing desire on the part of some organizations to build up private armies. Any such development is dangerous for the safety of the State and for the growth of corporate life in the nation. The State alone should have its defence forces or police or home guards or recognized armed volunteer force. The activities of the Muslim National Guards, the Rashtriya Swayamsevak Sangh and the Akali Volunteers and such other organizations, in so far as they represent an endeavour to bring into being private armies, must be regarded as a menace to the hard-won freedom of the country. The A.I.C.C. therefore appeals to all these organizations to discontinue such activities and the Central and Provincial Governments to take necessary steps in this behalf.¹⁶

These militias had played a major role in the violence that accompanied Independence - indeed the bloodletting became crucial to the very idea of a national home. The transfer of population and mass ethnic cleansing was a marker of sovereignty for India and Pakistan. As one historian of partition has written:

While some argue that the violence that erupted at the moment of Partition was popular and spontaneous and that it can't be considered as a

¹⁵ See 'The law of killing: a brief history of Indian fascism'; in Banaji, *Fascism* op cit.

¹⁶ AICC Resolution, 16/11/1947; *Collected Works of Mahatma Gandhi* (online) vol. 97, p. 480.

general phenomenon due to the non-involvement of large-scale organizations, the nature and the extent of the violence clearly underline the organized and planned character of the attacks. Furthermore, it suggests the involvement of private armies such as the Muslim League National Guard, the Rashtriya Swayam Sevak Sangh (RSS) and the Akal Fauj.. Although the State did not directly participate in the violence, the communalized role of the police, the complicity if not direct involvement of the political leaderships and the State's attitude of laissez-faire point to its responsibility. During its existence, between August 1 and 31, the 50,000 men Punjab Boundary Force was unable or unwilling to maintain peace and order. Violence was not just a marginal phenomenon, a sudden and spontaneous communal frenzy that accompanied Partition. It was on the contrary at the very heart of the event. Nor was it merely a consequence of Partition but rather the principal mechanism for creating the conditions for Partition. Violence constituted the moral instrument through which the tension between the pre-Partition local character of identity and its postcolonial territorial and national redefinition was negotiated. Violence operated as the link between the community and its new national territory. That is precisely what gave it its organized and genocidal dimension as it was meant for control of social space so as to cleanse these territories from the presence of other religious communities

17

Before independence, the major militias had announced themselves as representatives of nationalist ideals, albeit nationalism rendered perverse by communalism. However, the mixed nature of inhabitation as well as the 'impure' status of popular religious belief posed obstacles to communal projects. Hence the situation in the decade prior to independence was marked by the tension between a complex social reality versus simplified communalised ideals of the

¹⁷ Lionel Baixas, 'Thematic Chronology of Mass Violence in Pakistan, 1947–2007', p. 2. Available at <http://www.massviolence.org/Thematic-Chronology-of-Mass-Violence-in-Pakistan-1947-2007?decoupe_recherche=noakhali>

Nation. This tension combined with the global climate of war in the 1940's and resulted in mass rioting and genocide –the only means of enforcing those ideals and transforming them into reality. Communal violence was not new – what was new was the channeling of such violence into an instrument of nation-statism. All this was done deliberately by various actors on the political stage – it was neither inevitable nor the result of some 'law of history'. And it stamped the justice systems of all successor states with the blood of their origin. That is a why a portrait of a prime accused and conspirator in the Gandhi murder case now adorns the central hall of India's parliament.¹⁸

The activity of private armies in the run-up to the independence of India and Pakistan requires separate attention.¹⁹ Suffice it to remember that both nation-states were born amidst genocide – up to half a million people of three major communities were killed, and millions uprooted. As for the state of affairs regarding the criminal justice system, we need merely refer to the Government of India's communiqué banning the RSS in February 1948 (which specifically accused it of fostering terrorism);²⁰ and Pakistan's first Law Minister, J.N. Mandal's resignation letter to Prime Minister Liaqat Ali Khan in October 1950,²¹ to form an idea of the situation. While it is important to recall the history of the militarisation of public space in India, what concerns us here is the stamina

¹⁸ See Anil Nauriya, 'Portrait as mirror'; <http://hindu.com/2003/03/03/stories/2003030300371000.htm>

¹⁹ See 'The law of killing'; in Banaji, *Fascism...* op. cit.

²⁰ The ban order accused it of indulging in 'acts of violence involving arson, robbery, dacoity, and murder'; collecting illicit arms and ammunition; and 'circulating leaflets exhorting people to resort to terrorist methods, to collect firearms, to create disaffection against the government and suborn the police and military.' The order said 'the cult of violence sponsored...by the activities of (the RSS) has claimed many victims. The latest and most precious to fall was Gandhiji himself.' D.R. Goyal, *Rashtriya Swayamsewak Sangh* (New Delhi, 1979) pp. 201–202

²¹ Mandal spoke of nearly 10,000 deaths in Dacca and other districts earlier that year. He went on to say: 'Pakistan is no place for Hindus to live in and that their future is darkened by the ominous shadow of conversion or liquidation. The bulk of the upper-class Hindus and politically conscious scheduled castes have left East Bengal. Those Hindus who will continue to stay accursed in Pakistan will, I am afraid, by gradual stages and in a planned manner be either converted to Islam or completely exterminated.' See http://en.wikisource.org/wiki/Resignation_letter_of_Jogendra_Nath_Mandal

possessed by vigilante groups and their entrenched position in the polity decades after independence. The ruling establishment seems to accept that the 'communities' need them for self-defence, and that they are needed in perpetuity; even when it is clear that the militia do not represent this or that community, but are a political force unto themselves.

We need to face squarely the implications of private armies and vigilante groups in India, the most stable manifestation of terrorism. These are as follows: that the state is far too lacking in motivation, or its neutrality is far too impaired, to perform its constitutionally mandated functions; that bearing arms and arms training are innocuous when undertaken in the name of the 'national' interest - the further implication being that Hindu communalism is an extreme form of nationalism, while others qualify for the title of 'anti-national'. Furthermore, that the sub-contracting of force to vigilante groups such as the Salwa Judum by the state makes them legitimate, or renders their activities legitimate even when they commit illegal acts; and finally, that the impact upon public sensibilities of all the above, the degradation of state legitimacy, the privatization of justice etc., are all innocuous, irrelevant, or unworthy of attention. If this is a fair assessment of the impact of privatized violence in India, it is valid for us to conclude that the polity is gripped by an ongoing process of criminalization, and that the locus of this process lies in the so-called mainstream, rather than on the margins of society. Furthermore, the acceptability of militarist ideologies nourishes a fascist ethos that does not require organisational affiliation to make its impact felt. To put it another way, there is a seamless and symbiotic connection between state violence and the violent activity of vigilante groups and private armies.

In sum, ideological thinking expresses a means of annihilating time, truth and life. This is as true of Hindutva nationalism as it is of Islamism and Maoism; terror for the sake of a Bodo homeland or the violence of the Ranvir Sena. All of them are offshoots and defenders of a violently patriarchic and authoritarian culture. In Arendt's words, they manifest the appearance of totalitarian solutions that have survived the fall of totalitarian regimes. And they signify that contempt

for human life which is the hallmark of nihilism. They promise their followers a bright future, but what they actually achieve is the ruination of the present – in perpetuity, because the horizon of time is always one step ahead of us. The rosy dawn of a purified Islamic order, of a Hindu Rashtra or a Red Republic will never arrive, but the corpses will pile up around us as we watch the lovers of martyrdom go about their self-appointed sacred tasks. For those who care about terror, the first step will be to re-orient ourselves towards the present, for the present is all we have, and it is another name for life. It's about time.